IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 459 OF 2007

MRS. CRISTINA CARDOZO AND 2 ORS., ... Petitioners
Versus
STATE OF GOA THROUGH CHIEF SECRETARY AND 4 ORS., ... Respondents

Mr. Anthony D'Silva, Advocate for the Petitioners.

Ms. Winnie Coutinho, Government Advocate for Respondent Nos. 1 and 3.

Mr. N. K. Sawaikar, Advocate for Respondent No.2.

Mr. C. A. Coutinho, Advocate for Respondent Nos.4 and 5.

Coram:- D. B. BHOSALE &
N. A. BRITTO, JJ.

Date:- 10th December, 2007

P.C.:-

Heard learned Counsel for the parties.

The Petitioners in the present Writ Petition have made the following prayer.

a) For a Writ of mandamus or any other Writ or direction or order in the nature of mandamus directing the Respondent No.2 to take necessary action against the respondents no.4 and 5 and to demolish the said illegal construction carried out on the open terrace and to revoke the occupancy certificate illegally issued to the respondents no.4 and 5 and to restrain the respondents no.4 and 5 from illegally running the bar and restaurant in the said garages.

Having considered the prayer made in the Writ Petition and the nature of controversy, we are satisfied that the following order shall meet the ends of justice:

a) Petitioners shall make an appropriate representation to Respondent No.2 for redressal of their grievance made in the instant Writ Petition within four weeks from today. If such a representation is made by the Petitioners, the Respondent No.2 shall consider the grievance on merits and in accordance with law as expeditiously as possible and preferably within a period of six weeks therefrom after giving an opportunity of being heard to the Petitioners and Respondent No.4. Respondent No.2 shall pass speaking order on the representation. If the grievance made by the Petitioners is found to be genuine it is open for the concerned authority to take further action in accordance with law.

All contentions in the petition and in the reply affidavit are kept open.

Petition is disposed of.

D. B. BHOSALE, J.

N. A. BRITTO, J.

RD.